IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

WILLIAM TODD BURNS,	§	
	§	
Plaintiff,	§	
	§	
versus	§	CIVIL ACTION NO. H-04-364
	§	
JO ANNE B. BARNHART, Commissio	ner§	
of the Social Security Administration,	§	
	§	
Defendant.	§	

MEMORANDUM AND ORDER

On May 9, 2005, Magistrate Judge Calvin Botley issued a Memorandum and Recommendation [Doc. # 21], suggesting that Plaintiff William Todd Burns' ("Burns") Motion for Summary Judgment [Doc. # 18] be denied, that Defendant Jo Anne B. Barnhart's, Commissioner of the Social Security Administration ("Commissioner"), Motion for Summary Judgment [Doc. # 20] be granted, and that the administrative law judge's decision denying Burns disability benefits be affirmed.

This Court has reviewed the Memorandum and Recommendation [Doc. #21], noting that no objections have been filed, and the pleadings filed by the parties. It is, therefore,

ORDERED that the Memorandum and Recommendation is **ADOPTED** as this Court's Memorandum and Order. It is further

ORDERED that Burns' Motion for Summary Judgment [Doc. # 18] is **DENIED**. It is further

ORDERED that the Commissioner's Motion for Summary Judgment [Doc. # 20] is **GRANTED**. It is further

ORDERED that the administrative law judge's decision denying Burns disability benefits is **AFFIRMED**. It is finally

ORDERED that this matter be **DISMISSED** from the dockets of this Court.

SIGNED at Houston, Texas, on the 27th day of May, 2005.

2